



TCW B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARK A. KING

Group Art Unit: 3644

Serial No.: 10/824,105

Examiner: Susan C. Alimenti

Filed: April 14, 2004

For: DUAL FISHING POLE HOLDER

Attorney Docket No.: KING 0101 PUS

LETTER

Mail Stop Amendment - AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby submits comments regarding the Examiner's Statement of Reasons for Allowance, which accompanied the Notice of Allowability dated June 28, 2005.

In a telephone interview granted to Applicant's attorney by the Examiner, the invocation of 35 U.S.C. § 112(6) was discussed. It was decided that Applicant's attorney should submit brief comments regarding this issue.

Applicant does not agree that invocation of 35 U.S.C. § 112(6) is proper in this case. In claims 5 and 7, for example, the phrase "means for adjusting" in paragraph 14 of claim 5 and paragraph 14 of claim 7 clearly includes sufficient structure for achieving the specified function. That structure includes the pedestal secured to the respective fishing pole holder elements.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 12, 2005
Date of Deposit

Donald J. Harrington
Name of Person Signing

Donald J. Harrington
Signature

Further, the phrase "means for adjusting" the angular position of the first/second fishing pole holder element in paragraphs 9-12 of each of claim 5 and 7 is followed by structural recitals including the support shaft, the "first axis" and the "support shaft axis."

Respectfully submitted,

MARK A. KING

By 
Donald J. Harrington
Reg. No. 17,427
Attorney/Agent for Applicant

Date: September 12, 2005

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351